

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, AIRLINES DIVISION;
AIRLINE PROFESSIONALS
ASSOCIATION OF THE IBT, LOCAL
UNION NO. 1224,

Plaintiffs,

v.

ALLEGiant AIR, LLC; ALLEGiant
TRAVEL COMPANY,

Defendants.

Case No. 2:14-cv-00043-APG-GWF

**ORDER TEMPORARILY STAYING
PRELIMINARY INJUNCTION**

(Dkt. # 81)

Defendants Allegiant Air, LLC and Allegiant Travel Company (collectively, "Allegiant") have filed a motion (Dkt. #81) seeking a stay of the Preliminary Injunction (Dkt. #79) that I entered on July 22, 2014 while they appeal that injunction to the Ninth Circuit. Allegiant also requests that I order plaintiffs International Brotherhood of Teamsters, Airlines Division and Airline Professionals Association of the IBT, Local Union No. 1224 (collectively, the "IBT") to post a bond in support of the Preliminary Injunction under Section 7 of the Norris-LaGuardia Act, 29 U.S.C. § 107 and Federal Rule of Civil Procedure 65(c). (Dkt. #80.)

I see no reason to stay the Preliminary Injunction under Federal Rule of Civil Procedure 62(c). I do not believe that Allegiant is likely to succeed on the merits of its appeal, Allegiant will not be irreparably harmed absent a stay, issuance of the stay likely will substantially injure the IBT, and (as set forth in the Preliminary Injunction) the public interest supports the Preliminary Injunction's entry and enforcement. *Nken v. Holder*, 556 U.S. 418, 434 (2009). Thus, I will not stay the Preliminary Injunction pending completion of Allegiant's appeal to the Ninth Circuit.

However, it appears that Allegiant is correct that I neglected to require the IBT to post a bond in connection with the Preliminary Injunction. Therefore, I will stay the injunction until the

1 bond is posted. Pursuant to Local Rule 7-2(b), the IBT has until August 11, 2014 to oppose the
2 motion for bond. Of course, the IBT may file its brief sooner than that, thereby shortening the
3 length of time the Preliminary Injunction is stayed. The IBT should, in its brief, address the
4 amount of the bond that may be required. Accordingly,

5 IT IS HEREBY ORDERED that the Order Granting Motion for Preliminary Injunction is
6 stayed and held in abeyance pending further order of the Court.

7 DATED this 25th day of July, 2014.

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10 ANDREW P. GORDON
11 UNITED STATES DISTRICT JUDGE
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